UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.490
21 December 1998

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Nineteenth session

SUMMARY RECORD (PARTIAL)* OF THE 490th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 29 September 1998, at 3 p.m.

Chairperson: Miss MASON

CONTENTS

CONSIDERATION OF REPORTS OF STATE PARTES (continued)

Initial report of Kuwait (continued)

* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.98-18469 (E)

The discussion covered in the summary record began at 3 p.m.

CONSIDERATION OF REPORTS OF STATE PARTIES (agenda item 4) (continued)

Initial report of Kuwait (continued) (CRC/C/8/Add.35, CRC/C/Q/KUW/1 (list of issues to be taken up in the consideration of the initial report of Kuwait); written replies of the Government of Kuwait to the questions raised in the list of issues (no document symbol, in Arabic only); country report (CRC/C/A/KUW/1))

1. At the invitation of the Chairperson, the members of the delegation of Kuwait resumed their places at the Committee table.

2. Mr. RAZZOOQI (Kuwait), replying to earlier remarks, said that the State assumed responsibility for the care of children only when they had been abandoned by their mothers. In such cases, the State undertook to find a suitable foster home.

3. Mrs. Nawal AL-SALLAL (Kuwait) said that preventive measures had been taken to deal with landmines, for example briefings, cultural activities and publications designed to alert the public, and especially children, to the dangers posed by the large numbers of landmines and weapons left over from the Gulf War. Particular stress had been laid on ways to guard against explosions of devices of that kind, the danger of using such weapons unwittingly, and familiarization with high-risk and preferably avoidable areas.

4. Mrs. Muna AL-SALLAH (Kuwait) said that student councils participated in the decision-making process since they had the opportunity to submit proposals to annual meetings with the university authorities. Their proposals were taken into account. In addition, physical education occupied an important place at all levels of the school curriculum and was treated as a fully-fledged subject to which material and human resources had been allocated. The policy of integrating disabled children into the regular education system had been effectively implemented since the entry into force in 1996 of the Disabled Persons Act, as evidenced by special classes in kindergartens for children with Down's syndrome and learning difficulties which gave them the opportunity to mix with other children and share in their activities while benefiting from a special education. Measures had also been put in place to encourage the aptitudes of gifted children who had been identified by their rapid learning ability and high intelligence quotient. Meals were provided at kindergartens and the authorities made arrangements in the primary and intermediate cycles for children who required a special diet. The principles enshrined in the Convention would be taught as part of the school curriculum.

5. Mr. RAZZOOQI (Kuwait) said that considerable efforts had been made to neutralize the various types of landmines scattered throughout Kuwait. American, British, French, Bangladeshi and Pakistani mine clearance units had provided invaluable assistance. Kuwaiti mine victims had benefited from medical, economic and housing compensation. The social security system guaranteed them compensation that varied with the duration of their professional service. Non-Kuwaiti citizens, who were not entitled to social security, received a fixed end-of-contract bonus; the longer they had worked,

the higher the bonus. In reply to Mrs. Sardenburg's question about budget allocations for children, he could confirm that such allocations had been progressively increased since 1992.

6. The CHAIRPERSON invited the members of the Committee to make their preliminary comments on the initial report of Kuwait.

7. Mrs. MOKHUANE said that Kuwait had not complied with the guidelines laid down by the Committee for the preparation of reports, a fact which had not made the report easy to read. The State party was to be commended for its efforts to restore the county's infrastructures in the wake of the Gulf War, particularly in the field of teaching (exemption from charge, compulsory education from ages 6 to 14, etc.) and health care. However, much work remained to be done to raise public awareness of the principles embodied in the Convention. It would also be useful to establish a central organ to implement the provisions of the Convention, coordinate relevant activities and ensure that they were followed up. The National Plan of Action on Children should be published to identify the objectives which had still not been achieved. It would be well advised to raise the current age of criminal responsibility, which currently stood at seven years. The same applied to the minimum age of marriage, which should also be the same for girls and boys. The Government should be commended for abolishing discrimination against women in respect of their civil rights and encouraged to continue its efforts in that regard. The lack of detailed health-care information describing the real situation with regard to child mortality and morbidity and drug use among children was regrettable. The State party should concentrate more on data-collection efforts. In addition, a social welfare system should be set up to cover non-Kuwaiti nationals. Likewise, the principles of humanitarian law and the principles embodied in the Convention should be utilized to allow the children of non-Kuwaiti nationals, and Bedoon children in particular, access to educational and other services. The Kuwaiti Government should expedite its mine clearance operations.

8. Ms. PALME said that she endorsed the positive developments mentioned by other members of the Committee in the areas of health care, education and social security. The measures taken to benefit disabled people should be commended and she hoped that the social rehabilitation of disabled people would be taken into account in the new plan. However, it was alarming to note that inequality between the sexes persisted in Kuwait. There were still very few female workers and it appeared that men tended to perpetuate present stereotypes. The rights of the Bedoons were not fully safeguarded. Furthermore, the age of criminal responsibility (seven years) was too low and the minimum age for marriage should be raised and made the same for males and females.

9. Mrs. SARDENBERG said that she had been encouraged by the constructive dialogue which the Committee had had with the Kuwaiti delegation and which had made it possible to identify the problems faced by Kuwaiti children under article 44 of the Convention. Kuwait should strengthen its activities within the framework of the six major United Nations human rights conventions and submit its reports in a timely fashion, particularly the report relating to the Convention on the Elimination of All Forms of Discrimination against Women. Kuwait should also accede to the 1951 Convention relating to the

Status of Refugees, the International Labour Organization's Minimum Age Convention (No. 138), 1973, and the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction. The Kuwaiti Government should also be more proactive in putting into practice the rights provided for in those conventions. The drafting of a Children's Code was a welcome development. The National Plan of Action on Children should be published and incorporated into the five-year development plan in order to devise a comprehensive strategy for protecting children. The data collection system should also be broken down in order to identify more clearly the measures which needed to be taken to conform to the provisions of the Convention. In addition, officials who dealt with children should receive training and the Convention should be more widely circulated. The Day of the Arab Child was a positive development in terms of raising public awareness of the contents of the Convention. More specifically, the Kuwaiti Government should pay closer attention to the general principles embodied in the Convention, which should be put into practice more consistently.

10. Mrs. KARP said that the report did not make clear the problems encountered by Kuwaiti children in day-to-day life. It was most regrettable that Kuwaiti women did not have the right to vote; that was a flagrant violation of their right to human dignity. The Kuwaiti Government should take a broad view of the various articles of the Convention and consider the child more as a subject of law rather than an object to be protected. Conservative attitudes rooted in family traditions therefore needed to be modified. In that connection, the drafting of a Code specifically relating to children was a welcome development which would reinforce the general principles enshrined in the Convention. It was important that the most vulnerable groups in society (Bedoons, refugees and the disabled) should enjoy real rights. Judges, psychologists and members of the police force should receive training to raise their awareness of children's views.

11. Mr. RABAH said that it would be useful to receive more information about measures for the social rehabilitation of young offenders. It would also be useful to explore the question of child custody in relation to the Sharia, which did not allow adoption.

12. The CHAIRPERSON said that the submission of a report was not simply a bureaucratic exercise. The Kuwaiti Government should never forget that "the interests of the child shall be a primary consideration".

13. Mr. RAZZOOQI (Kuwait) said that he agreed with almost all the remarks made by members of the Committee. Kuwait and the Committee shared the same objectives, namely, the protection and promotion of the rights of the child. In that connection, he urged the Committee to mention in its recommendations the Kuwaiti children who were still being held as prisoners of war in Iraq.

The discussion covered in the summary record ended at 4.05 p.m.